

## **SECTION 7 – ADDITIONAL REQUIREMENTS**

### **7.1 AUTHORIZATION UNDER THIS GENERAL PERMIT**

#### **7.1.1 Eligible Activities**

The discharge of stormwater from or associated with a Regulated Small MS4 is authorized by this general permit, provided the requirements of Section 7.1.2 are satisfied and the activity is conducted in accordance with the conditions of this storm water management plan.

This permit authorizes the following non-stormwater discharges provided they do not contribute to a violation of water quality standards:

- Landscape irrigation
- Uncontaminated ground water discharges such as pumped ground water, foundation drains, water from crawl space pumps and footing drains
- Irrigation water
- Lawn watering runoff
- Residual street wash water
- Discharges or flows from fire fighting activities (except training)
- Naturally occurring discharges such as rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR35.2005(20)), springs, diverted stream flows and flows from riparian habitats and wetlands

#### **7.1.2 Requirements for Authorization**

This general permit authorizes the activity listed in Section 7.1.1 provided:

##### **Coastal Management Act**

Such activity is consistent with all applicable goals and policies in Section 22a-92 of the Connecticut General Statutes, and shall not cause adverse impacts to coastal resources as defined in Section 22a-93(15) of the Connecticut General Statutes. The Coastal Management Act is not applicable to the Town of Brookfield.

##### **Endangered and Threatened Species**

Such activity shall not threaten the continued existence of any species listed as endangered or threatened pursuant to Section 26-306 of the Connecticut General Statutes and shall not result in the destruction or adverse modification of habitat designated as essential to such species.

### National Historic Preservation Act

Stormwater discharges or implementation of the registrant's stormwater management program shall not adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the registrant is in compliance with requirements of the National Historic Preservation Act and has coordinated with the appropriate State Historic Preservation Officer to avoid or minimize impacts from any necessary activities.

The stormwater is not discharged to a Publicly Owned Treatment Works (POTW) or to ground water except for stormwater infiltration through a designed basin of Structure.

## **7.2 PROPER OPERATION AND MAINTENANCE**

The town will properly operate and maintain all facilities and systems of treatment and control, including related appurtenances, which are installed or used by the town to achieve compliance with the conditions of the general permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by the town when necessary to achieve compliance with this permit. Section 6 of this document contains detailed information for specific operation and maintenance measures.

## **7.3 AVAILABILITY OF INFORMATION**

The town will make a copy of the Stormwater Management Plan available to the following immediately upon request:

- The Commissioner of CTDEP
- In the case of an MS4, stormwater discharge to a water supply watershed, to the Public Water Supply Company

## **7.4 KEEPING PLANS CURRENT**

The town will amend the Stormwater Management Plan whenever; (1) there is a change which has the potential to cause pollution of the waters of the state; or (2) the actions required by the SWMP fail to ensure or adequately protect against pollution of the waters of the state; or (3) the Commissioner of CTDEP requests modification of the SWMP. The amended Plan will be completed and all actions required by such SWMP will be completed within a time period determined by the Commissioner of CTDEP.

The Commissioner of CTDEP may notify the town at any time that the SWMP does not meet one or more of the requirements of this general permit. Within 30 days of such notification, unless

otherwise specified by the Commissioner of CTDEP in writing, the town will respond to the Commissioner of CTDEP indicating how they plan to modify the SWMP to address these requirements. Within 90 days of this response or within 120 days of the original notification, whichever is less, unless otherwise specified by the Commissioner of CTDEP in writing, the town will then revise the SWMP, perform all actions required by the revised SWMP, and shall certify to the Commissioner of CTDEP that the requested changes have been made and implemented. The town will provide such information, as the Commissioner of CTDEP requires to evaluate the SWMP and its implementation.

## **7.5 MONITORING REQUIREMENTS**

The town will perform monitoring in accordance with the requirements of Section 3.2.3 of this Stormwater Management Plan.

## **7.6 REPORTING AND RECORD KEEPING**

Records required by the general permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems will be kept for at least 5 years following its expiration or longer if requested by the Commissioner of CTDEP in writing. Such records, including the Storm Water Management Plan, will be available to the public at reasonable times during regular business hours.

The town will submit an Annual Report to CTDEP by January 1, of each year beginning in 2005. The reports will be submitted to:

STORMWATER PERMIT COORDINATOR  
BUREAU OF WATER MANAGEMENT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

The annual reports will include the following:

- The status of compliance with the general permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, an assessment of appropriateness of the identified best management practices and progress towards achieving the implementation dates and measurable goals for each of the Minimum Control Measures.
- All monitoring data collected and analyzed pursuant of Section 3, Illicit Discharge Detection and Elimination, of this Storm Water Management Plan.
- All other information collected and analyzed, including data collected under Section 3 of this Storm Water Management Plan.
- A summary of the stormwater activities the town plans to undertake during the next reporting cycle.
- A change in any identified measurable goals or implementation dates that apply to the program elements.

## **7.7 GENERAL DISCHARGE REQUIREMENTS**

- There will be no distinctly visible floating scum, oil or other matter contained in the stormwater discharge. Excluded from this are naturally occurring substances such as leaves and twigs provided no person has placed such substances in or near the discharge.
- The stormwater discharge will not result in pollution due to acute or chronic toxicity to aquatic and marine life, impair the biological integrity human health.

## **7.8 TOTAL MAXIMUM DAILY LOAD (TMDL) ALLOCATIONS**

If a TMDL is approved for any waterbody into which the town discharges, the town will review its Stormwater Management Plan if the TMDL includes requirements for control of stormwater discharges. If the stormwater discharge(s) do not meet the TMDL allocations, the town will modify its Stormwater management Plan to implement the TMDL within four months of the TMDL's approval and notify the Commissioner if CTDEP of this modification.

## **7.9 REGULATIONS OF CONNECTICUT STATE AGENCIES INCORPORATED INTO THE DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

The town will comply with all laws applicable to the subject discharges, including but not limited to, the following Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as if fully set forth herein:

### **Section 22a-430-3:**

- Subsection (b) General – subparagraph (1)(D) and subdivisions (2), (3), (4) and (5)
- Subsection (c) Inspection and Entry
- Subsection (d) Effect of a Permit – subdivisions (1) and (4)
- Subsections (e) Duty to Comply
- Subsections (f) Proper Operation and Maintenance
- Subsection (g) Sludge Disposal
- Subsection (h) Duty to Mitigate
- Subsection (i) Facility Modifications, Notification – subdivisions (1) and (4)
- Subsection (j) Monitoring, Records and Report Requirements – subdivisions (1), (6), (7), (8), (9) and (11) (except subparagraphs (9) (A) (2) and (9) (c))
- Subsection (k) Bypass
- Subsection (m) Effluent Limitations Violations
- Subsection (n) Enforcement
- Subsection (p) Spill Prevention and Control
- Subsection (q) Instrumentation, Alarms, Flow Recorders
- Subsection (r) Equalization

### **Section 22a-430-4**

- Subsection (t) Prohibitions

- Subsection (p) Revocation, Denial, Modification
- Appendices

## **7.10 DUTY TO CORRECT AND REPORT VIOLATIONS**

Upon learning of a violation of a condition of the general permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, the town will immediately take all reasonable action to determine the cause of such violation, correct and mitigate the results of such violation and prevent further such violation. The town will report in writing such violation and such corrective action to the Commissioner of CTDEP within five (5) days of the town's learning of such violation. Such information will be filed in accordance with the certification requirements of this general permit.

## **7.11 DUTY TO PROVIDE INFORMATION**

If the Commissioner of CTDEP requests any information pertinent to the authorized activity or to compliance with the general permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems or with the town's authorization under this general permit, the town will provide such information within thirty (30) days of such request. Such information shall be filed in accordance with the certification requirements of this general permit.

## **7.12 CORRECTION OF INACCURACIES**

Within fifteen days after the date the town becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, the town will correct the inaccurate or misleading information or supply the omitted information in writing to the Commissioner of CTDEP. Such information will be filed in accordance with the certification requirements of this general permit.

## **7.13 OTHER APPLICABLE LAW**

Nothing in the general permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems will relieve the town of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.